

Exhibit A



~~TENNESSEE DEPARTMENT OF CORRECTION~~

~~IN~~

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OCT 11 2016
U. S. DISTRICT COURT
MID. DIST. TENN.

DESCRIPTION OF PROBLEM:

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE

PHILLIP DAVID OLNSTEAD
Plaintiff,

v.

No. 2:16-cv-00046
Chief Judge Sharp

FENTRESS COUNTY, TN
SHERIFF CHARLES CRAVENS
ADMINISTRATOR CAUDY PRICE
C/O NICOLE YORK
C/O JOSH DENSMORE
C/O TAMMY KING
C/O LAUCE MAYNARD
C/O CHRIS MARTIN
C/O GARY STOCKTON
NURSE ANTHONY MARTIN
SOUTHERN HEALTH PARTNERS INC.

AMENDED VERIFIED COMPLAINT

INTRODUCTION

This is a civil right action pursuant to 42 U.S.C. § 1983, filed by Plaintiff Phillip David Olmstead, alleging deliberate indifference to a serious medical need. Plaintiff seeks compensatory and punitive damages.

JURISDICTION

This Court has Jurisdiction over the Plaintiff's claims of violation of federal constitutional rights under 42 U.S.C. §§ 1331 and 1343

~~Distribution upon final resolution:~~

White Inmate Grievant ~~Canary~~ ~~Warden~~ ~~Prin~~ ~~Offense Committee~~ ~~Gettard~~ ~~Commissioner (if applicable)~~

~~Case 2:16-cv-00046~~



~~INMATE COMPLAINT~~ ~~INMATE COMPLAINT~~

~~INMATE COMPLAINT~~

~~(CONFIDENTIAL)~~

DESCRIPTION OF PROBLEM:

PARTIES

1. Plaintiff Phillip David Olmstead at all times relevant was confined at the Fentress County Jail ("FCJC").
2. Defendant Fentress County, TN is the municipal authority responsible for administering FCJC and promulgating policies regarding provision of medical care and services to inmates confined there, including Plaintiff.
3. Defendant Anthony Martin at all relevant times was a Nurse at FCJC.
4. Defendant Charles Cravens at all relevant times was the elected Sheriff of Fentress County.
5. Defendant Candy Price at all relevant times was the Jail administrator at FCJC employed by Fentress County.
6. Defendants Nicole York, Josh Densmore, Tammy King, Lance Maynard, Chris Martin and Gary Stockton were at all times relevant were correctional officers ("C/O") at FCJC employed by Fentress County.
7. Defendants Southern Health Partners Inc. ("SHP"), Charles Cravens, Anthony Martin, Candy Price, Nicole York, Josh Densmore, Tammy King, Lance Maynard, Chris Martin, and Gary Stockton at all relevant times were acting under color of State law and are being sued in their individual capacities.
8. Southern Health Partners Inc. is contracted by Defendant Fentress County to provide all medical, dental, and mental health services to inmates at FCJC.

FACTUAL ALLEGATIONS

9. Plaintiff was arrested and taken to FCJC on June 18 2015.
10. Plaintiff informed booking officers he has a diagnosis of hypertension for which he takes Lisinopril 20mg 2x daily and clonidine .1mg (as needed).

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White Inmate Grievant ~~Canary~~ ~~Warden~~ ~~Pink~~ ~~Grievance Committee~~ ~~Goldman~~ ~~Commissioner~~ ~~(if applicable)~~

~~CR-0000000000~~



~~TENNESSEE DEPARTMENT OF CORRECTION~~

INMATE GRIEVANCE

~~(continued from)~~

~~DESCRIPTION OF PROBLEM:~~

11. Defendant Anthony Martin examined Plaintiff the next day and advised Plaintiff he would check on his prescriptions.
12. Plaintiff had been in the custody of Fentress County Jail previously and received both Lesinaprill and Clonadine.
13. Plaintiff did not receive any blood pressure medicine for several weeks.
14. Plaintiff signed up for sick call approximately two weeks after booking because he was having headaches and mild dizziness from elevated blood pressure.
15. Defendant Anthony Martin stated that he could not verify Plaintiff's prescriptions, but would start him on Clonadine (only).
16. Plaintiff still did not receive blood pressure meds so signed up for sick call again on or about July 18, 2015.
17. Plaintiff thereafter received a daily dose of Clonadine, 1mg, he still did not receive his prescribed Lesinaprill.
18. Clonadine is a fast-acting medicine for emergency use, it is not intended for daily use.
19. Plaintiff woke up around 5:00 am on July 20, 2015 with elevated blood pressure, His symptoms included a severe headache, blurred vision, dizziness, and trouble standing.
20. Plaintiff advised defendants York and Densmore that he needed medical attention.
21. Defendants York and Densmore told Plaintiff that they were about to serve breakfast and didn't have time to contact medical personnel.

~~Distribution upon final resolution:~~

~~White - Inmate Grievant, Green - Warden, Pink - Prisoner, Committee, Correctional Commissioner (if applicable)~~



~~DESCRIPTION OF PROBLEM:~~

22. At approximately 8:00 am, Plaintiff pressed the call button on the intercom and advised defendant King that he needed medical attention.
23. Defendant King responded that she would "let them know".
24. At 8:41 am Defendants Stockton and King checked Plaintiff's blood pressure which was 180/100 and Plaintiff continued to suffer without medical care.
25. At approximately 10:00 am Phillip David Olmstead started to lose his vision and could barely walk.
26. Ronald Lewis White, a fellow inmate, pushed the intercom button to get help for the Plaintiff. White pushed the button repeatedly and kicked the door to get medical attention for Plaintiff.
27. White advised Defendant Stockton that Plaintiff's condition was getting worse and that he needed medical treatment urgently.
28. Defendant Stockton responded he would "let them know".
29. At approx. 11:30 am Defendants King and Maynard came around to serve lunch and Plaintiff told them his blood pressure was very high and symptoms were much worse.
30. Defendants King and Maynard responded that Plaintiff should turn in a sick call form because Defendant Anthony Martin would be at ECJC at around 3:00 pm.
31. Plaintiff filled out the form as they suggested.

~~Distribution upon final resolution:~~

~~White - Inmate Grievant~~ ~~George - Warden~~ ~~Dick - Grievance Committee~~ ~~Goldenrod - Grievance Committee~~ ~~(if applicable)~~



~~INMATE GRIEVANCE~~
~~(CONTINUED)~~

DESCRIPTION OF PROBLEM:

32. At approx. 3:20 pm, Plaintiff saw Defendant Chris Martin walking by and advised him of his symptoms and again asked for medical care.
33. At approx. 3:45 pm Plaintiff again pushed the intercom button and asked for medical care.
34. Defendant Maynard said that Defendant Anthony Martin had come but already left; Plaintiff then asked to speak with Defendant Price.
35. Plaintiff told Defendant Price that his symptoms were severe and requested urgent medical care.
36. Defendant Price contacted Defendant Cravens who has no medical training responded that Plaintiff would be fine and that he should stop bothering his c/o's.
37. By 5:00 pm Plaintiff's vision was completely gone and could barely walk.
38. Lewis Whited again started kicking the door and pressing the button to get help for the Plaintiff.
39. At 5:15 pm Defendant Tammy King finally checked Plaintiff's blood pressure which was 240/190.
40. Plaintiff was transported to the ER at Jamestown Regional Medical Center where his condition was finally stabilized.
41. Plaintiff attempted to file a grievance regarding the denial of medical care. Defendant Price stated that FCSC was too new and the grievance process was not up and running yet.



~~STATE OF TENNESSEE~~
~~DEPARTMENT OF CORRECTION~~
~~INMATE SERVICES~~ ~~(confidential sheet)~~

~~DESCRIPTION OF PROBLEM:~~

42. Approx. 3 weeks later, Plaintiff was taken to Eye Centers of Tennessee for follow up care for his eyes.
43. After Plaintiff was released, he returned to Eye Centers for more follow up care.
44. At the time of his release, Plaintiff had regained full use of his left eye, but only 10% of his right eye.
45. Eye Centers of Tennessee ran a number of test on Plaintiff, to include x-rays, ultra sound, MRI and others.
46. On or about Oct. 20, 2015 Plaintiff met with a surgeon referred by Eye Centers of Tennessee and was told he had irreversable nerve damage and that the vision in his right eye would only get worse until he is 100% blind in that eye.
47. This nerve damage was caused by the delay in treating Plaintiff's high blood pressure.

CLAIMS FOR RELIEF

48. Plaintiff suffers from Hypertension, which is a serious medical condition, mandating treatment by a physician.
49. Defendants Fentress County TN, Defendant Cravens, and Defendant SHP have a policy of not providing 24 hour Medical Staffing in order to save money.
50. Defendants refusal to provide urgent medical care to plaintiff was a foreseeable result of this policy. Had ECJC had sufficient medical staffing Plaintiff would have been examined hours sooner and the nerve damage could have been prevented.

~~Distribution upon final resolution:~~

~~White - Inmate Grievant~~ ~~C. J. W. - Inmate~~ ~~Pink - Grievance Committee~~ ~~Goldenrod - Commissioner (if applicable)~~



~~STATE OF TENNESSEE~~ DEPARTMENT OF CORRECTION

~~IN RE: COMPLAINT~~ ~~(continuation sheet)~~

~~DEFENDANT'S PROBLEM:~~

51. Defendants Cravens, Price, York, Densmore, King, Maynard, Chris Martin, Stockton, and Anthony Martin each knew of a serious risk to Plaintiff's health and failed to take steps to ensure that Plaintiff received the needed treatment, constituting deliberate indifference to Plaintiff's serious medical needs.
52. As a result of Defendants failure to provide prompt medical care Plaintiff has suffered a permanent physical injury and emotional pain and injury.
53. Defendants violated Plaintiff's Eighth Amendment Rights.

RELIEF REQUESTED

WHEREFORE, Plaintiff request that this court grant the following relief.

- A. Declare that Defendants violated Plaintiff's Eighth Amendment Rights to medical care;
- B. Award compensatory damages for Plaintiff's physical and emotional injuries, and punitive damages against each defendant; and
- C. Grant Plaintiff such other relief as it may appear plaintiff is entitled to.

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. This amended complaint is being given to prison officials for mailing on the 6th day of October, 2016.

~~Plaintiff's Signature:~~

~~Witness Signature~~ ~~Complainant~~ ~~Prison Official~~ ~~Complaint Committee~~ ~~Corporal~~ ~~Commissioner (if applicable)~~



~~TENNESSEE DEPARTMENT OF CORRECTIONS~~

~~INVESTIGATION~~

~~(continuation sheet)~~

DESCRIPTION OF PROBLEM:

Phillip D Olmstead

PHILLIP DAVID OLMSTEAD # 350838

BOCX Site 2

1045 Horsehead Rd.
Pikeville TN, 37364

~~Distribution of this report:~~

~~White - Inmate Grievant - Copy - Pink - Grievant - Yellow - Grievant - Green - Grievant - Blue - Grievant - Purple - Grievant - Grey - Grievant - Black - Grievant~~

~~CR 1004 (2-1-9)~~